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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/878,564	06/11/2001	Mimi Chu Dong	10010232-1	3290

7590 06/23/2004  
HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P.O. Box 272400  
Fort Collins, CO 80527-2400

EXAMINER

NAHAR, QAMRUN

ART UNIT PAPER NUMBER

2124

DATE MAILED: 06/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/878,564

Applicant(s)

DONG ET AL.

Examiner

Qamrun Nahar

Art Unit

2124

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 11 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 2/10/03.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. Claims 1-27 have been examined.

#### *Claim Objections*

2. Claims 10-16 are objected to because of the following informalities: the limitation "wherein said step of querying said peripheral device by an operating system" on lines 1-2 of the claims should be "wherein said step of querying said peripheral device by **said** operating system". Appropriate correction is required.

#### *Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-27 are rejected under 35 U.S.C. 102(b) as being anticipated by Pleso (U.S. 6,009,480).

#### Per Claim 1:

The Pleso patent discloses:

- a method for providing application software for a peripheral device to be installed in a computer system ("The present invention relates generally to a method and system for

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providing and installing a device driver, and more particularly to a system for integrating a device driver with the device itself." in column 2, lines 39-53)

- **rendering said application software into a memory module coupled to said peripheral device** ("The peripheral device stores its driver within its own memory" in column 8, lines 39-40)

- **upon coupling said peripheral device to said computer system by a user, querying said peripheral device by an operating system executing on said computer system; and responsive to said querying step, uploading said application software into said computer system from said memory module coupled to said peripheral device** ("In step 122, the processor 12 scans all devices connected to the system 10 and identifies in step 123 any new devices that have not been configured yet. As mentioned above, in step 120, the processor 12 determines if there are any new devices connected to the system. ... If a new device (e.g. printer 52) is found, the processor 12 in step 126 queries the printer 52 for what resources the printer 52 needs ... After, the assignment, the processor 12 initiates a driver download sequence in step 128. ... The peripheral device stores its driver within its own memory and during the PNP sequence it downloads the driver to the memory (e.g., hard disk) of the host computer 54." in column 8, lines 12-42).

**Per Claim 2:**

The Pleso patent discloses:

- wherein said step of rendering said application software into a memory module comprises the step of programming a flash read-only memory (ROM) module with said application software (column 7, lines 49-58 and column 8, lines 38-40).

**Per Claim 3:**

The Pleso patent discloses:

- wherein said application software comprises at least one of customer usage application software, customer support diagnostic application software, driver software and at least one default setting with respect to said peripheral device (column 7, lines 49-58 and column 8, lines 38-40).

**Per Claim 4:**

The Pleso patent discloses:

- wherein said step of rendering said application software into a memory module comprises the step of programming a nonvolatile memory (NVM) module with said application software (column 7, lines 49-58 and column 8, lines 38-40).

**Per Claim 5:**

The Pleso patent discloses:

- wherein said step of rendering said application software into a memory module comprises the step of programming an electrically programmable read-only memory (EPROM) module with said application software (column 7, lines 49-58 and column 8, lines 38-40).

**Per Claim 6:**

The Pleso patent discloses:

- wherein said step of rendering said application software into a memory module comprises the step of programming an electrically erasable programmable read-only memory (EEPROM) module with said application software (column 7, lines 49-58 and column 8, lines 38-40).

**Per Claim 7:**

The Pleso patent discloses:

- wherein said step of rendering said application software into a memory module comprises the step of programming a nonvolatile random access memory (NVRAM) module with said application software (column 7, lines 49-58 and column 8, lines 38-40).

**Per Claim 8:**

The Pleso patent discloses:

- wherein said step of querying said peripheral device comprises the step of making a determination by said operating system whether said application software is compatible with said operating system (column 8, lines 20-29).

**Per Claim 9:**

The Pleso patent discloses:

- wherein said step of querying said peripheral device comprises the step of making a determination by said operating system whether said application software is compatible with said computer system (column 8, lines 20-29).

**Per Claim 10:**

The Pleso patent discloses:

- wherein said step of querying said peripheral device by said operating system is performed in association with Microsoft® Windows® operating system (column 14, lines 15-39).

**Per Claim 11:**

The Pleso patent discloses:

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- wherein said step of querying said peripheral device by said operating system is performed in association with a UNIX-based operating system (column 14, lines 15-39).

**Per Claim 12:**

The Pleso patent discloses:

- wherein said step of querying said peripheral device by said operating system is performed in association with Linux® operating system (column 14, lines 15-39).

**Per Claim 13:**

The Pleso patent discloses:

- wherein said step of querying said peripheral device by said operating system is performed in association with Macintosh® MacOS® operating system (column 14, lines 15-39).

**Per Claim 14:**

The Pleso patent discloses:

- wherein said step of querying said peripheral device by said operating system is performed in association with Solaris® operating system (column 14, lines 15-39).



**Per Claim 15:**

The Pleso patent discloses:

- wherein said step of querying said peripheral device by said operating system is performed in association with AIX® operating system (column 14, lines 15-39).

**Per Claim 16:**

The Pleso patent discloses:

- wherein said step of querying said peripheral device by said operating system is performed in association with HP-UX® operating system (column 14, lines 15-39).

**Per Claim 17:**

The Pleso patent discloses:

- wherein said peripheral device is selected from the group consisting of: a printer, a digital camera and a scanner (column 5, lines 1-15).

**Per Claims 18 & 20-21:**

These are system versions of the claimed method discussed above (claims 1, 3 and 17, respectively), wherein all claim limitations also have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also anticipated by Pleso.

**Per Claim 19:**

This is a system version of the claimed method discussed above (claims 2, 5, 6 and 7), wherein all claim limitations also have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, this claim is also anticipated by Pleso.

**Per Claim 22:**

This is a computer-readable medium version of the claimed method discussed above (claims 1, 8 and 9), wherein all claim limitations also have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, this claim is also anticipated by Pleso.

**Per Claim 23:**

This is a computer-readable medium version of the claimed method discussed above (claims 2, 5, 6 and 7), wherein all claim limitations also have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, this claim is also anticipated by Pleso.

**Per Claim 24:**

This is a computer-readable medium version of the claimed method discussed above, claim 17, wherein all claim limitations also have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, this claim is also anticipated by Pleso.

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**Per Claim 25:**

This is a computer-readable medium version of the claimed method discussed above (claims 10, 11 and 13), wherein all claim limitations also have been addressed and/or covered in cited areas as set forth above, including "Windows® NT® operating system" (column 14, lines 15-39). Thus, accordingly, this claim is also anticipated by Pleso.

**Per Claims 26-27:**

These are computer-readable medium versions of the claimed method discussed above, claim 3, wherein all claim limitations also have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also anticipated by Pleso.

***Conclusion***

5. Any inquiry concerning this communication from the examiner should be directed to Qamrun Nahar whose telephone number is (703) 305-7699. The examiner can normally be reached on Mondays through Thursdays from 9:00 AM to 6:30 PM. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kakali Chaki, can be reached on (703) 305-9662. The fax phone number for the organization where this application or processing is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

QN

June 17, 2004

  
ANIL KHATRI  
PRIMARY EXAMINER